

1 PHILLIP A. TALBERT  
2 Acting United States Attorney  
3 JUSTIN L. LEE  
4 Assistant United States Attorney  
5 501 I Street, Suite 10-100  
6 Sacramento, CA 95814  
7 Telephone: (916) 554-2700  
8  
9 Attorneys for Plaintiff  
10 United States of America  
11  
12  
13  
14  
15  
16

7  
8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10  
11

12 UNITED STATES OF AMERICA, Plaintiff,  
13 v.  
14 RIGOBERTO GUERRA-SALCEDO, and Defendants.  
15 RAYMOND LEON RODRIGUEZ,  
16

CASE NO. 2:20-CR-00089-WBS  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL  
ACT; FINDINGS AND ORDER  
DATE: October 18, 2021  
TIME: 9:00 a.m.  
COURT: Hon. William B. Shubb

17  
18 STIPULATION

19 1. By previous order, this matter was set for status on October 18, 2021.  
20 2. By this stipulation, defendants now move to continue the status conference  
21 until February 14, 2022, and to exclude time between October 18, 2021, and February 14,  
22 2022, under Local Code T4. The parties anticipate that they will be prepared for entry of  
23 guilty plea or setting jury trial dates on February 14, 2022.

24 3. The parties agree and stipulate, and request that the Court find the  
25 following:

26 a) The government has represented that the discovery associated with  
27 this case includes investigative reports, photographs, and audio recordings. All of  
28 this discovery has been either produced directly to counsel and/or made available

1 for inspection and copying.

2 b) Counsel for defendants desire additional time review the discovery,  
3 conduct defense investigation, meet with their respective clients, and otherwise  
4 prepare for trial in this matter.

5 c) Counsel for defendants believe that failure to grant the above-  
6 requested continuance would deny them the reasonable time necessary for effective  
7 preparation, taking into account the exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by  
10 continuing the case as requested outweigh the interest of the public and the  
11 defendant in a trial within the original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18  
13 U.S.C. § 3161, et seq., within which trial must commence, the time period of  
14 October 18, 2021 to February 14, 2022, inclusive, is deemed excludable pursuant to  
15 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a  
16 continuance granted by the Court at defendant's request on the basis of the Court's  
17 finding that the ends of justice served by taking such action outweigh the best  
18 interest of the public and the defendant in a speedy trial.

19 4. Nothing in this stipulation and order shall preclude a finding that other  
20 provisions of the Speedy Trial Act dictate that additional time periods are excludable from  
21 the period within which a trial must commence.

22 IT IS SO STIPULATED.

24 Dated: October 13, 2021

25 PHILLIP A. TALBERT  
Acting United States Attorney

26 /s/ JUSTIN L. LEE  
27 JUSTIN L. LEE  
28 Assistant United States Attorney

1 Dated: October 13, 2021

/s/ JONATHAN GONZALES  
JONATHAN GONZALES  
Counsel for Defendant  
Rigoberto Guerra-Salcedo

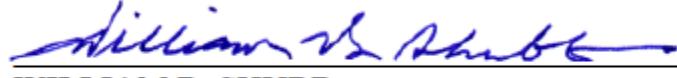
4 Dated: October 13, 2021

/s/ PHIL COZENS  
PHIL COZENS  
Counsel for Defendant  
Raymond Rodriguez

8 **FINDINGS AND ORDER**

9 IT IS SO FOUND AND ORDERED.

10 Dated: October 14, 2021

11   
12 WILLIAM B. SHUBB  
13 UNITED STATES DISTRICT JUDGE